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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/772,460	01/30/2001	Timothy Alexander Gordon	14244	7156

7590 08/06/2004  
Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, NY 11530

EXAMINER

TRAN, ELLEN C

ART UNIT PAPER NUMBER

2134

DATE MAILED: 08/06/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/772,460

Applicant(s)

GORDON ET AL.

Examiner

Ellen C Tran

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
**NORMAN M. WRIGHT**  
**PRIMARY EXAMINER**

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. This action is responsive to communication: original application filed 30 January 2001, with acknowledgement of foreign application date of 26 September 2000.

2. Claims 1-20 are currently pending in this application. Claims 1 and 12 are independent claims.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language

4. **Claims 1-20** are rejected under 35 U.S.C. 102(e) as being anticipated by Alcorn et al. U.S. Patent No. 6,149,522 (hereinafter '522).

**As to independent claim 12, “A method for downloading encrypted electronic information from a host device to a gaming terminal through a communications link between said host device and said terminal, whereby said terminal comprises a decryption component configured for decrypting said encrypted electronic information using at least two security keys, at least one said key being resident in said terminal and at least another said key being delivered to said terminal at the time of said downloading, and whereby said downloading facilitates a replacement of electronic information stored in said terminal**

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**with corresponding decrypted information obtained from decrypting said encrypted information, said downloading method comprising: (a) transmitting said encrypted electronic information from said host device to said terminal, whereby said encrypted information comprises at least one next version key for later use by said decryption component in decrypting a next version of encrypted electronic information; (b) receiving said encrypted information at said terminal; and, (c) delivering said other key to said terminal at the time of said downloading”** is taught in ‘522 col. 11, lines 3-67 and col. 13, lines 55-67.

**As to dependent claim 13, “whereby said encrypted electronic information is in the form of packs, said packs comprising a full set of files for updating said terminal's software”** is shown in ‘522 col. 11, lines 54-56.

**As to dependent claim 14, “whereby said communications link comprises a cable coupled to parallel ports of said host and terminal and said delivering comprises providing an electronic security key to said terminal”** is disclosed in ‘522 col. 12, lines 6-32.

**As to dependent claim 15, “whereby said encrypted information comprises assigned bit information associated with a next version electronic key, said bit information being for later use for delivering said other security key for use by said decryption component in decrypting a next version of encrypted electronic information”** is taught in ‘522 col. 5, lines 15-27.

**As to dependent claim 16, “whereby communications through said communications link are bi-directional”** is shown in ‘522 col. 7, lines 15-46.

**As to dependent claim 17, “further comprising providing in said electronic security key means for decrypting an encrypted master reset component in said terminal” is disclosed in ‘522 col. 11, lines 24-41.**

**As to dependent claim 18, “further comprising providing in said electronic security key information usable by said terminal to distinguish the electronic information version that different electronic keys are configured for” is taught in ‘522 col. 5, lines 15-22.**

**As to dependent claim 19, “whereby said communications link is a secure network and said delivering is performing by means of said network” is shown in ‘522 col. 2, lines 47-65.**

**As to dependent claim 20, “whereby said network is a wide area ethernet network” is disclosed in ‘522 col. 7, lines 15-46.**

**As to independent claim 1, this claim is directed to the system of the method of claim 12 and is rejected along similar rationale.**

**As to dependent claims 2-4 and 6-9, these claims incorporate substantially similar subject matter as claims 13-15 and 17-20; therefore they are rejected along the same rationale.**

**As to dependent claim 5, “wherein said cable is wired to provide crossed control lines and bidirectional communications for data transfer” is taught in ‘522 col. 7, lines 15-46.**

**As to dependent claims 10 and 11, “wherein said files are stored in said terminal in nonvolatile memory following decryption of said packs” is shown in ‘522 col. 11, lines 29-42.**

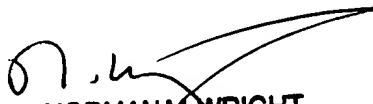
*Conclusion*

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ellen C Tran whose telephone number is (703) 305-8917. The examiner can normally be reached on 6:30 am to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory A Morse can be reached on (703) 308-4789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.

Ellen Tran,  
Patent Examiner  
Technology Center 2134  
29 July 2004

  
NORMAN M. WRIGHT  
PRIMARY EXAMINER